

May 22, 2018 Council Meeting

The regular meeting of the Council of the City of Martinsville, Virginia was held on May 22, 2018 in Council Chambers, Municipal Building, at 7:30 PM with Mayor Gene Teague presiding. Council Members present included Gene Teague, Sharon Hodge, Jennifer Bowles Chad Martin and Kathy Lawson. Staff present included City Manager Leon Towarnicki, City Attorney Eric Monday, Assistant City Manager Wayne Knox, Clerk of Council Karen Roberts, Finance Director Linda Conover, Building Inspector Kris Bridges, Property Maintenance Inspector Andy Powers, Fleet Manager Lane Shively, Water Resources Director Andy Lash, Captain Chad Rhoades, Utilities Director Durwin Joyce, Fire Chief Ted Anderson, Inspector Andy Powers, and Inspector Mark Price.

Mayor Teague called the meeting to order and advised Council would go into Closed Session beginning at 7:00 PM. In accordance with section 2.1-344 (A) Code of Virginia (1950, and as amended) and upon a motion by Council Member Lawson, seconded by Council Member Hodge, with the following 5-0 recorded vote: Mayor Teague, aye; Council Member Hodge, aye; Council Member Bowles, aye; Vice Mayor Martin, aye; and Council Member Lawson, aye, Council convened in Closed Session to discuss the following matters: (A) Consultation with legal counsel and briefings by staff members, attorneys or consultants pertaining to actual or probable litigation, or other specific legal matters requiring the provision of legal advice by such counsel, as authorized by Subsection 7. At the conclusion of Closed Session, each returning member of Council certified that (1) only public business matters exempt from open meeting requirements were discussed in said Closed Session; and (2) only those business matters identified in the motion convening the Closed Session were heard, discussed, or considered during the Session. A motion was made by Council Member Bowles; seconded by Council Member Lawson, with the following 5-0 recorded vote in favor to return to Open Session: Council Member Bowles, aye; Mayor Teague, aye; Council Member Hodge, aye; Vice Mayor Martin, aye; and Council Member Lawson, aye.

Vice Mayor Martin made a motion to authorize the City Manager and City Attorney to retain the law firm of Kaufman & Canoles of Norfolk, Virginia and their associated outside counsel to investigate and if necessary, to pursue litigation and recover damages arising from the prescription and opioid abuse occurring in Martinsville; Council Member Lawson seconded the motion with all Council Members voting in favor.

Following the Pledge to the American Flag and invocation by Council Member Lawson, Teague welcomed everyone to the meeting.

Consider approval of minutes of April 16, 2018 Budget Work Session and April 17, 2018 Budget Work Session – Council Member Lawson made a motion to approve the minutes as presented; Council Member Bowles seconded the motion with all voting in favor.

Recognize City Employees who are eligible for Service Awards for the period April 1-June 30, 2018 – City Manager Towarnicki explained that the staff held a ceremony the day

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before recognizing those employees with service awards and handed out those service award certificates. Mayor Teague read the list and thanked those employees for their years of service.

**SERVICE AWARD RECIPIENTS
FOURTH QUARTER - FISCAL YEAR 17-18
FOR THE PERIOD OF APRIL 1 – JUNE 30, 2018**

NAME	DEPARTMENT	YEARS OF SERVICE
Chase Cooper	Electric	5
Jason Vaughan	Police	5
Ronnie Gammons	Public Works	10
Tim Agee	Electric	20
Steve Burgess	Wastewater Plant	25
Jimmy Blankenship	Electric	30
Ronald Nance	Utility Billing	30

Consider presentation of a proclamation recognizing June 3 – 9, 2018 as “RELAY FOR LIFE DAYS” in Martinsville and Henry County – Mayor Teague read the proclamation and presented it to Michelle Graham, Relay for Life representative. Graham explained that every year there is a different spirit in the Relay for Life events. This year is When you Wish Upon a Cure. Graham said she was honored to accept the proclamation and happy to see the community come together to recognize Relay for Life Days.



Martinsville
A CITY WITHOUT LIMITS



JOINT PROCLAMATION

OF THE

HENRY COUNTY BOARD OF SUPERVISORS MARTINSVILLE CITY COUNCIL

WHEREAS, the American Cancer Society Relay For Life movement is the world's largest peer-to-peer fundraising event to save lives from cancer. Relay For Life brings together 3.5 million participants worldwide to help attack cancer from every angle; and

WHEREAS, the Relay For Life of Martinsville & Henry County stands shoulder to shoulder with cancer patients and those supporting them to help beat our biggest rival and fight cancer on every front; and

WHEREAS, funds raised help the American Cancer Society attack cancer in dozens of ways, each of them critical to achieving a world without cancer – from developing breakthrough therapies to building supportive communities, from providing empowering resources to deploying activities to raise awareness;

NOW, THEREFORE, BE IT PROCLAIMED, on this 22nd day of May 2018 that the Henry County Board of Supervisors and Martinsville City Council establishes June 3 – 9, 2018 as "RELAY FOR LIFE DAYS" in Martinsville & Henry County and encourages citizens to let their passion inspire them to join the Relay For Life movement by starting a fundraising team, making a donation, or volunteering with the Relay For Life event at Bassett High School on June 8th.

Jim Adams, Chairman
Henry County Board of Supervisors

M. Gene Teague
Mayor

Consider setting a public hearing for Council's June 12, 2018 meeting for the purpose of receiving names of citizens interested in appointments for two 3-year terms on the Martinsville City School Board, beginning July 1, 2018 and ending June 30, 2021 – Council Member Lawson made a motion to set the public hearing for the June 20 Council meeting. Council Member Bowles seconded the motion with all members voting in favor. Mayor Teague explained that interested parties are not required to attend the meeting but their name must be mentioned during the meeting to be considered for the vacancy.

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SCHOOL BOARD

SCHOOL BOARD – The School Board is declared a body corporate. In its corporate capacity, it is vested with all the powers and charged with all the duties, obligations, and responsibilities upon school boards by law. It may sue, be sued, contract, be contracted with, and in accordance with the provisions of this title, purchase, take, hold, lease, and convey school property both real and personal. The School Board has the following powers and duties: 1) to make rules for the governance of the schools within its jurisdiction; 2) to determine the curriculum, methods of teaching, methods of administration and governance, and the length of the school term; 3) to employ and dismiss teachers upon the recommendation of the superintendent; 4) to suspend or expel pupils when necessary; 5) to establish such schools as are necessary in the judgement of the Board to so constitute a complete and efficient system; 6) to control and manage funds made available to the Board for the purpose of conducting free public schools; 7) examine all claims for payment and authorize payment; and 8) to submit annually to City Council a budget request.

TERMS: The Board consists of five members serving **three-year** terms appointed by City Council. **School Board members can serve a maximum of three 3-year consecutive terms.**

Meetings are held on the second Monday of each month.

CONTACT: Dr. Zeb Talley, Superintendent, 403-5820, 746 Indian Trail, Martinsville, VA 24112

Name & Address	Initial Appointment	Term Expires	Full Term
Eric Hruza, 707 Mulberry Rd	6/30/16	6/30/19	1
Donna Dillard, 912 Forest Lake Dr. (reappt 6/27/17)	8/24/16	6/30/20	0
Tonya Jones, 752 Stultz Road	6/27/17	6/30/20	0
Sammy Redd, 303 Oakdale Street (appt 1/23/18)	1/23/18	6/30/18	
Joan Montgomery, 807 Corn Tassel Tr.	6/16/15	6/30/18	1

NOTE: If a Board or Commission does not specify number of terms a person can serve, then the number of terms defaults to three terms per a policy adopted by City Council December 11, 1990. (per city attorney 4/26/11) Two exceptions (1) if no one is interested (2) no one qualified has applied, then the person holding the position can serve another term if Council chooses.

Hear information from Go Healthy West Piedmont regarding the National Diabetes Prevention Program being offered to City employees – Vice Mayor Martin summarized the Go Healthy program. Barbara Watson also explained the Go Healthy program, a 4-year initiative that was awarded to the West Piedmont Health District. Go Healthy partners with food pantries, local giving gardens, the Dan River Basin Association, Complete Streets, libraries, faith-based organizations, and others. Christopher Hairston, a trained lifestyle coach and successful participant in the program was present to share his story, stating that he has lost weight and gained energy with the help of the program. More information can be found on the Go Healthy West Piedmont website.

Approval of Open Space ordinance on second reading – City Manager Towarnicki briefly detailed previous discussions regarding the ordinance and Council discussions. Council Member Hodge made a motion to approve the ordinance on second reading; Council Member Bowles seconded the motion with the following roll call vote: Council Member Hodge, aye; Council Member Bowles, aye; Council Member Lawson, nay; Mayor Teague, aye; and Vice Mayor Martin, aye. Ordinance passed with a 4-1 vote. Council Member Hodge confirmed that the decision to approve the ordinance was not political.



ORDINANCE 2018-Z-1
Zoning, Defining Open Space

BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in regular session held on May 22, 2018 that Appendix B, Section II of the City Code, the Zoning Ordinance, be amended as follows:

Repealing and reenacting the definition of "open space," to read as follows:

OPEN SPACE - areas intended to provide light, air, recreational, or scenic beauty. Open space shall, in general, be available for entry and use by the owners, residents or occupants of the property or development, but may include a limited proportion of space so located and treated as to enhance the amenity of the property or development by providing landscaping features, screening for the benefit of the occupants or those in neighboring areas, or a general appearance of openness. Open space may include, but is not limited to lawns, decorative plantings, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, undisturbed natural areas, agriculture, wooded areas, water bodies and those areas where landscaping and screening are required by the provisions of this ordinance. Open space shall not include driveways, parking lots, or other vehicular surfaces, any area occupied by a building, ~~nor~~ areas so located or so small as to have no substantial value for the purposes stated in this definition.

Enacting a new definition, "open space, public," reading as follows:

OPEN SPACE, PUBLIC - any open space which is dedicated or conveyed to (a) the City or to (b) by any other individual or entity for use by the general public as open space. In all instances involving ownership under (b), open space which does not adjoin any contiguous parcels shall remain a use by right; for any open space adjoining any contiguous parcel, however, a description with supporting documentation of any such open space shall be submitted Zoning Administrator for review. The Zoning Administrator shall enjoy discretionary authority to, after due consideration of the Comprehensive Plan and the effect of such open space on adjoining parcels and the neighborhood in general, either allow the use by right or alternatively require an application for a special use permit.

Attest:

Karen D. Roberts, Clerk of Council

Date Adopted

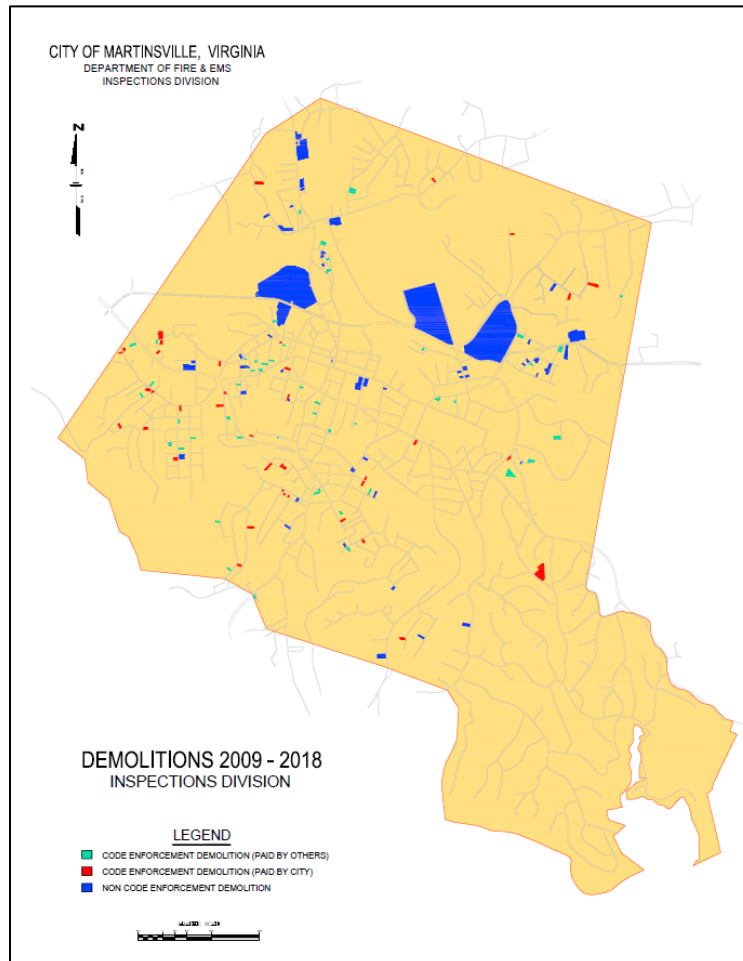
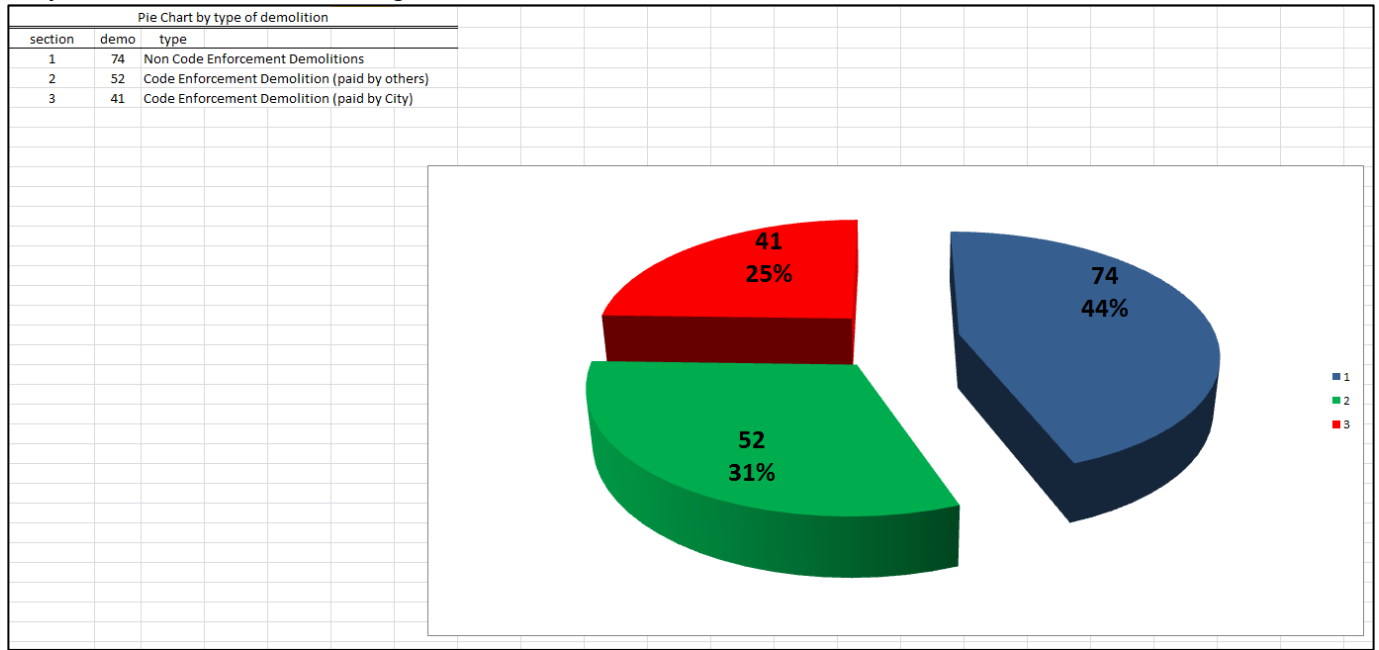
Date Effective

Hear information from Building Inspections regarding demolition of structures within the City – Building Inspector Kris Bridges detailed information requested previously by Council related to a demolition list of local properties, rating them by priority or necessity as well as a history of where demolitions have occurred in previous years. Demolition of a single home could vary from \$4,000-\$22,000 depending on asbestos inspections. There is only \$15,000 in the budget to cover the top 10 properties on the list. Mayor Teague requested that Inspections should start action towards the top 10 properties. Council Member Lawson emphasized that those properties targeted were not based on particular neighborhoods, it is complaint based. Targeted properties are determined by complaints, street-by-street inspections, and previous fire damage that has not been repaired. Council Member Hodge asked about renovation versus demolition. Mayor Teague suggested a work session to address creating a program to address those referenced properties.

Priority	Commercial Structures Demo List
1	200 Aaron St
2	201 Aaron St
3	802 Fayette St
4	714 Fayette St
5	710 Fayette St
6	301 Red Oak St
7	115 N Moss st
8	1004 Fayette St
9	313 Fayette St
10	315 Fayette St
	122 S Beaver St

Priority	Residential Demo list
1	729 Rahlway St
2	1673 Roundabout Rd
3	1210 Hickory St
4	1320 Hillcrest Ave
5	908 Fayette St
6	807 Princeton St
7	406 & 408 Pond St
8	309 Union St
9	534 Dillard St
10	537 Dillard St
	122 pony Pl
	1137 Wray St
	1210 Hickory St
	700 Fourth St
	513 Second St
	847 Smith St
	837 Smith St
	125 Beaver St
	509 Swanson St accessory building
	417 Fayette St
	16 Peters St
	410 Fayette St
	30 1/2 High St
	210 Holt St
	200 Holt St
	105 Maple St
	505 College St
	504 College St
	200 Emmette St
	916 Lillian St
	825 Keel St
	911 Loch St
	1217 Lawson St
	1612 Meadowview St accessory building
	550 Dillard St
	112 Park St
	210 Park St
	905 Askin St
	1005 Oak St
	326 Clift St
	1007 Paul St
	211 Stuart St
	618 Lee St
	214 McCoy St
	1004 Jordan St
	807 Pipe St

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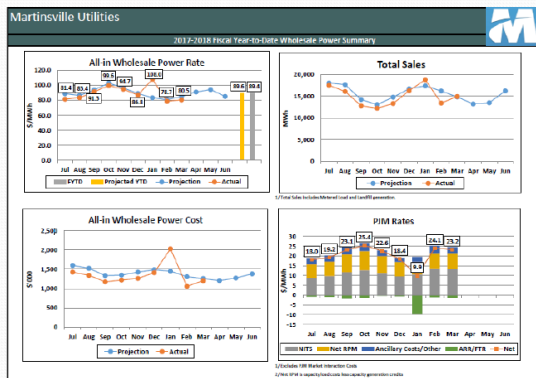


Hear a staff update on operations of the City's Electric and Water Resources Departments – Utilities Director Durwin Joyce presented information regarding the Electric Department through March 2018. Mayor Teague asked Joyce to provide specifics on the most recent five outages at his next Council update.

City of Martinsville Electric FY18 3rd Quarter Report

Electric Summary FY 18

- Total Power = 134,354 MWh
- Projected Needs = 142,883 MWh
- Average cost of purchased power= \$89.37
- Projected Costs = \$89.56
- October KWh – 12,099,061/27,766 kw
- January KWh – 18,794,581/38,485 kw



Revenue/Expenditures

Total Revenue = \$14,613,640

Total Expense = \$14,782,108

Net Revenue = - \$168,468

Projects



- Pole Maintenance
- Storm Damage Repairs
- Line Recloser Installation
- Hydro Repairs on Gen # 1
- Large Power Meters Installed
- Wildlife Protection
- Exacter Findings Completed
- Substation Regulators Completed

Pole Maintenance



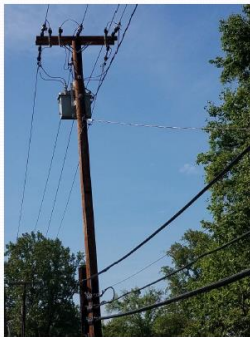
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Storm Damage



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Line Recloser



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Hydro Repairs



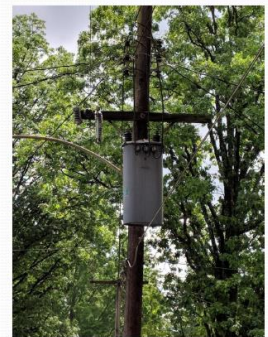
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Meter Install, High Temp Alarm

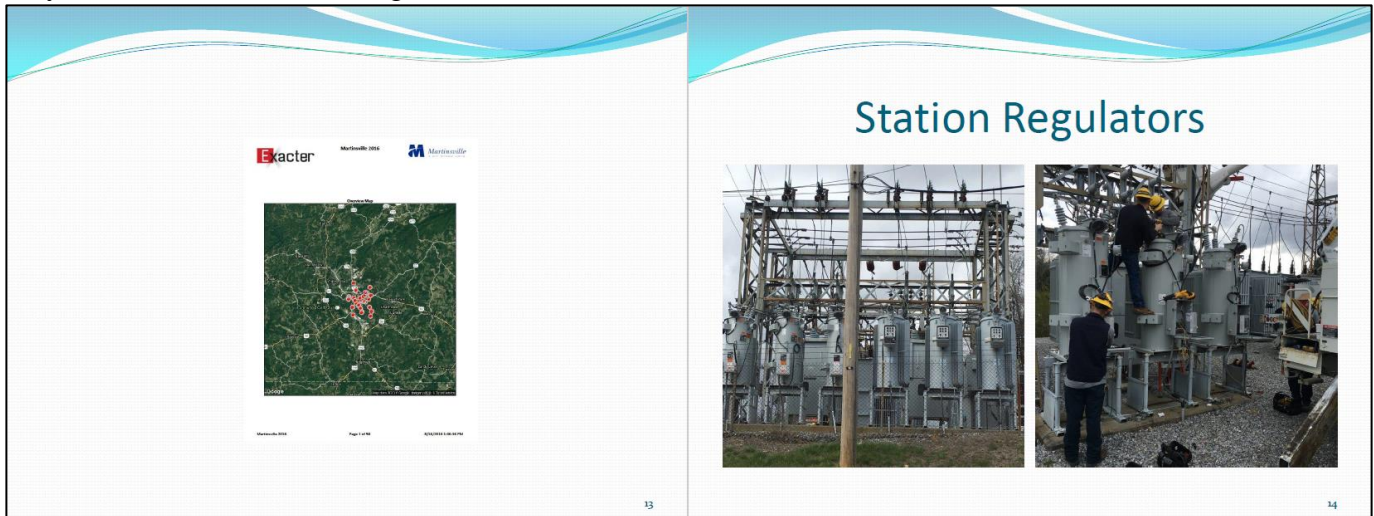


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Wildlife Protection



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Water Resources Director Andy Lash presented information regarding the Water and Wastewater departments for the past 10 months through April 2018. Lash confirmed that the May 18 flooding was an inconvenience and some equipment was damaged but there were no notable setbacks. There is a pump-around being used on the water breaks relating to the flood damage. City Manager Towarnicki explained that the repair to the damage at Sam Lions Trail would take approximately 6 weeks to complete. Residents in that area have sewer services thanks to temporary fixes and the department is working to resolve some water pressure concerns. Council Member Bowles emphasized that aging infrastructure is a nationwide concern, not just local to Martinsville.

Water/Wastewater Summary	Revenue/Expenditures
<ul style="list-style-type: none">• Production:<ul style="list-style-type: none">• Average flow at the Sewage Treatment Plant was 4.221 MGD for the first three quarters of FY'18• Water production was 2.110 MGD for the same period• Both plants operated within compliance.	<p>Total Water Revenue = \$2,681,031</p> <p>Total Water Expense = \$1,810,871</p> <p>Net Revenue = \$870,160</p> <p>Total WW Revenue = \$3,289,167</p> <p>Total WW Expense = \$2,640,740</p> <p>Net Revenue = \$648,427</p>

- Finished Indian Trail water line.
- Smith River Intercept finished From Koehler to Rives Rd .
- Asset Management(Fiscal Sustainability Plan) nearly finished at Sewage Plant.
- Started replacing sewer line on Spencer St.
- Replacing Finish Water Pump at Water Plant.
- Finishing up Leatherwood Pump Station.
- Beaver Creek Reservoir Spillway Repairs.

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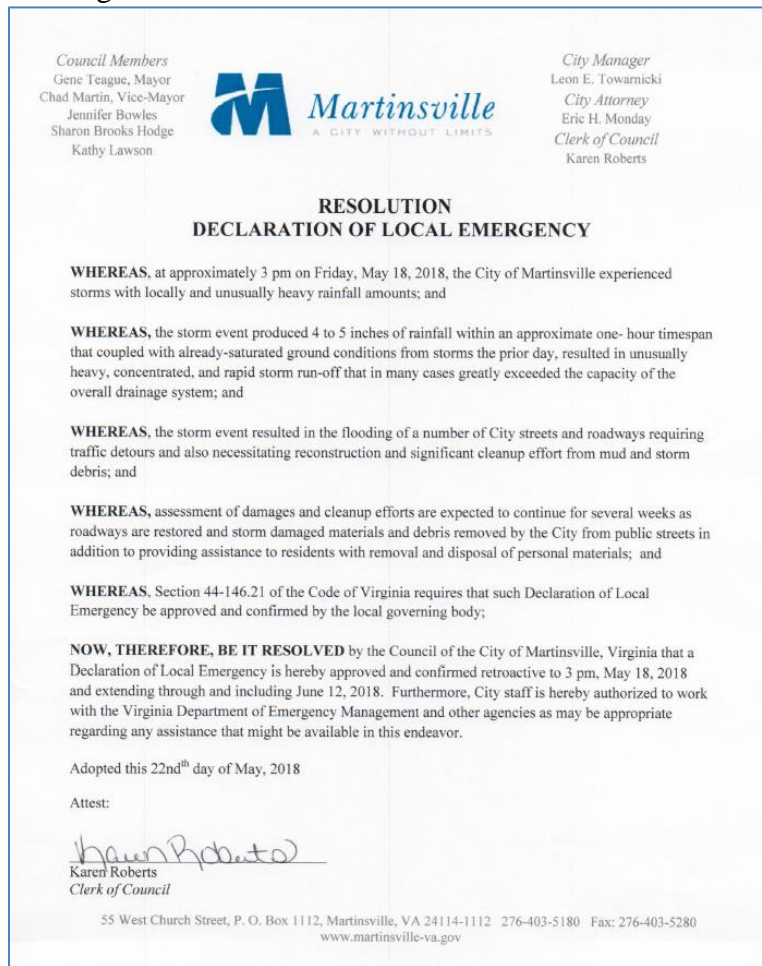
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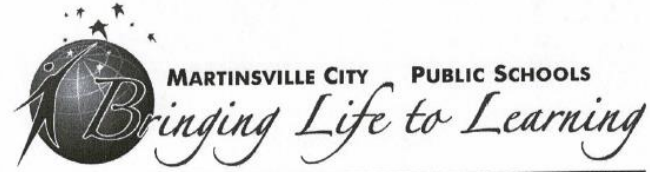
Consider approval of a resolution approving and confirming a Declaration of Local



Consider approval of Consent Agenda –Council Member Lawson made a motion to approve the schools request for funds to repair the roof at Albert Harris School, Bowles seconded the motion with all Council Members voting in favor. Council Member Lawson made a motion to approve the remaining consent agenda as presented; Vice Mayor Martin seconded the motion with all Council Members voting in favor.

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BUDGET ADDITIONS FOR 5/22/18				
ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
FY18				
ITEM #1				
APPROVAL OF USE OF SCHOOL CAPITAL RESERVE FUNDS				
CAPITAL RESERVE FUND:				
16579369	508209	Capital School Projects	48,775	
		Roofing project for Albert Harris School as requested by School Board.		
ITEM #2				
BUDGET ADDITIONS				
General Fund:				
01100909	490137	Recovered Cost - Public Safety		10,115
01311085	501200	Police Dept. - Overtime	3,284	
01311085	502100	Police Dept. - Social Security	204	
01311085	502110	Police Dept. - Medicare	47	
01217078	501200	Sheriff - Courts - Overtime	5,820	
01217078	502100	Sheriff - Courts - Social Security	361	
01217078	502110	Sheriff - Courts - Medicare	84	
01321102	501200	Fire Dept. - Overtime	293	
01321102	502100	Fire Dept. - Social Security	18	
01321102	502110	Fire Dept. - Medicare	4	
		Various reimbursements for security patrols		
01102926	436401	Categorical Federal - Confiscated Assets - Police		4,263
01311085	506079	Police Dept. - Federal Asset Forfeitures	4,263	
		Funds received 3/18		
01102926	436401	Categorical Federal - Confiscated Assets - Police		5,989
01311085	506079	Police Dept. - Federal Asset Forfeitures	5,989	
		Funds received 5/18		
01100908	480406	Miscellaneous - Donations/Recreation		150
01711210	506007	Recreation - Equipment & Supplies	150	
		Sponsorship Fees		
Total General Fund:			20,517	20,517



746 Indian Trail • P.O. Box 5548 • Martinsville, Virginia 24115 • 276.403.5820 • www.martinsville.k12.va.us

05/15/18

TO: Martinsville City Council

RE: Use of capital funds/Repair of the Albert Harris Elementary Roof

On Monday, May 14, 2018 at its regular monthly meeting, the School Board approved the following request/attached proposal:

It is requested that \$48,775.00 be allocated from the school's capital improvement budget for the purpose of re-coating the roof at Albert Harris Elementary.

Business from the Floor – Ural Harris, 217 Stuart Street presented City Attorney. Monday and Vice Mayor Martin with a copy of a receipt of his payment of his FOIA request. Gloria Hylton, 402 Second Street asked if the 520 Fayette Street property is on the demolition list and said the church she attends would be very interested in purchasing the property if it becomes available, detailing costs the church as accrued to clean up that adjacent lot overgrowth that infringes the church property. Hylton also questioned 410 Fayette Street adjacent to her parent's property that she has maintained for years. There are several places on Fayette Street that are in dire need of attention and she hopes those properties can be added to the demolition list. There is property at 813 B Street, corner of Second Street which she has reported to property maintenance regarding grass maintenance. Kerry Smith of Hairston Funeral Home has reported three unsafe buildings near their property. The buildings are considered historical but have overgrowth of vines and grass as well as trash, drug and sexual activity, excess of cats, kittens and rodents. Smith asked that the City work to get the buildings added to the demolition list.

Comments by Members of City Council – Council Member Bowles shared that the New Heights Foundation would be offering the Second Annual Back to School Bash with free food and drinks, youth activities, book bag giveaways, coupons for haircuts, and more. Scholarships are also available and interested parties can apply beginning July 28. Bowles thanked Warrior Tech for allowing her to be a judge. She congratulated Martinsville High School students who received the Big M award and the seniors who received the Big M trophy. Bowles thanked City employees for their response during the storms. She thanked the staff for working on the budget. Vice Mayor Martin congratulated Martinsville and Carlisle students. Council Member Lawson had the privilege to present the Delvin Hairston

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Scholarship and stated that it is truly amazing to see the talent of our local youth. Lawson thanked the public safety, public works and electric department during the storms, stating that they did an outstanding job. Council Member Hodge wanted to reiterate the appreciation of the City staff. Council Member Hodge stated that she would resign her seat on Council effective July 31, 2018 explaining that her private business is growing and it is becoming difficult to fulfil her responsibilities as a Council Member. Hodge is out of town often fulfilling her new obligations, making her schedule difficult to work around Council requirements and feels that Council deserves a member who lives in Martinsville fulltime and not just attends the meetings. Mayor Teague expressed his and Councils appreciation for her contributions the past years while she was on Council. City Attorney Monday explained that with the effective date of the resignation, Council has 30 days to determine to hold a special election or to appoint an interim Member. Monday explained the procedure for Council to request that special election and the deadline dates that those decisions would need to be made.

Comments by City Manager – City Manager Towarnicki summarized the neighborhood meeting from May 21 in the Northside-Chatham Heights area. Council Members looked at several properties of concern. There was a neighborhood meeting and he thanked Clearview Wesleyan Church for hosting that. Inspections summarized property maintenance concerns in that area as well as the nuisance ordinance. Towarnicki detailed resident concerns and any actions that have been taken so far. The meeting was well attended with good exchanges and interaction with residents, staff and council. The Municipal Building will be closed on Monday for Memorial Day. Towarnicki detailed local events in honor of Memorial Day and encouraged Council Members and residents to attend. He thanked Deborah Mitchell for her assistance in the 100th anniversary of the People Cemetery. Martinsville Mustangs first home game is Thursday May 31. This weekend is Rooster Walk and City employees will receive a discount on Sunday to attend. The Community Business Launch awards were given earlier in the day and totaled almost \$30,000. The funds were awarded to six businesses out of 23 participants. Congratulations to all of the graduates and he hopes a lot of them decide to return to Martinsville.

There being no further business, Council Member Hodge made a motion to adjourn the meeting. The motion was seconded by Vice Mayor Martin with all Council Members voting in favor. The meeting adjourned at 9:41pm.

Karen Roberts
Clerk of Council

Gene Teague
Mayor